



GEORGIA STATE BOARD OF COSMETOLOGY AND BARBERS

Secretary of State
Professional Licensing Boards Division

NOTICE OF INTENT TO ADOPT PROPOSED RULES AND NOTICE OF PUBLIC HEARING

CHAPTER 240-12 SALON/SHOP

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Cosmetology and Barbers (hereinafter "Board") proposes to adopt the following rule: 240-12-.01 APPLICATION FOR COSMETOLOGY/BARBER SALON/SHOP.

This notice, together with an exact copy of the synopsis of the proposed rule, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice and a synopsis of the proposed rule may be reviewed during normal business hours (8:00 am to 5:30 pm Monday through Friday, except official State holidays) at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's web page at www.sos.ga.gov/plb/cosmetology. Copies may also be requested by contacting the Georgia State Board of Cosmetology and Barbers at (478) 207-2440.

Any interested party affected by the rule may present comments to the Board no later than June 20, 2016. Written comments should be addressed to Lisa Durden, Director, Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217. Comments may be submitted by fax to 1-866-888-1176.

A public hearing is scheduled to begin at 9:00 a.m. on June 27, 2016 at the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rule.

The Board voted to adopt this Notice of Intent at its March 7, 2016 meeting. The Board also voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §43-10-2(d), which requires the Board to regulate the practice of cosmetology and barbering in this state. Finally, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-7, 43-10-2(d), 43-10-6(a), 43-10-8(h), and 43-10-11 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, or owned and operated and dominant in the field of cosmetology and barbering.

The proposed rule will be considered for adoption by the Georgia State Board of Cosmetology and Barbers at its meeting scheduled to begin at 9:00 a.m. June 27, 2016 at the Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia 30217. According to the Department of Law, State of Georgia, the Georgia State Board of Cosmetology and Barbers has the authority to adopt the proposed rules for Chapter 240, pursuant to authority contained in O.C.G.A. §§43-1-7, 43-10-2(d), 43-10-6(a), 43-10-8(h), and 43-10-11.



For further information, contact the Board office at 478-207-2440.
This notice is given in compliance with O.C.G.A. § 50-13-4.

This 27 day of May, 2016.

Lisa Durden
Division Director
Professional Licensing Boards Division

Posted: 27 MAY 16



GEORGIA STATE BOARD OF COSMETOLOGY AND BARBERS

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SYNOPSIS OF PROPOSED RULE

CHAPTER 240-12 SALON/SHOP

Purpose: The passage of House Bill 314 by the Georgia General Assembly and signed into law by the Governor effective July 1, 2015 combined the former Georgia Board of Barbers and the former Georgia Board of Cosmetology into a single, combined board, the Georgia State Board of Cosmetology and Barbers. The new Board must adopt new rules for Chapter 240 prior to July 1, 2016.

240-12-.01 APPLICATION FOR COSMETOLOGY/BARBER SALON/SHOP: This proposed rule requires individuals desiring a salon or shop to submit an application, application fee, and meet all requirements for licensure established by law or rule. The proposed rule also requires shops and salons to be licensed by the Board prior to opening and also addresses changes of salon or shop ownership and sale or closure of salons or shops. The proposed rule requires salons or shops to include the word "salon" or "shop" in their business names and refrain from names that would mislead the public, and post a current copy of their license verification. The proposed rule requires salon or shop owners to complete a board approved health, safety, and sanitation course and to comply with all Board cleansing, disinfection, sanitization, health and safety requirements.

Main Feature: The new proposed chapter identifies salon and shop standards, rules, and regulations as required by the Georgia State Board of Cosmetology and Barbers.

Rule 240-12-.01 Application for Cosmetology/Barber Salon/Shop

- (1) Any person or persons desiring to operate a salon/shop which offers and performs cosmetology or barber services shall submit a complete application with the required application processing fee for a license using the form furnished by the Georgia State Board of Cosmetology and Barbers and shall meet all the requirements of the law and rules of the Board.
- (2) Any salon/shop must be licensed by the Board prior to conducting business. Change of salon/shop ownership or change in the ownership or leasing must be registered with the Board by filing an application for licensure within thirty (30) days of the purchase of said salon /shop. The licenses of any salon/shop that is being sold or closed, must be returned to the board within 30 day of closing.
- (3) Business names of salon/shop shall include the word "Salon" or "Shop" and shall not contain terms which would tend to mislead the public as to the operation of a cosmetology, barber, esthetician, or nail care facility.
- (4) The salon/shop license or current copy of online verification shall be displayed within fifteen feet of the salon/shop entrance at all times in an open area of the registered salon/shop so as to be unobstructed and easily viewable for both customers to read and for inspection by the Board.
- (5) The salon/shop owner shall complete a board-approved course for health, safety and sanitation.
- (6) Salon/shop shall at all times comply with the rules for cleansing, disinfection, sanitization, health and safety required in all Board Rules of Georgia State Board of Cosmetology and Barbers.

Authority: O.C.G.A. 43-1-7, 43-10-2(d), 43-10-6(a), 43-10-8(h), 43-10-11

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Authority: O.C.G.A. 43-1-7, 43-10-2(d), 43-10-6(a), 43-10-8(h), 43-10-11